

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Case No. 10-47514

ROBERT J. ORLANSKI
and LAURA A. ORLANSKI,

Chapter 13

Debtors.

Judge Thomas J. Tucker

ROBERT J. ORLANSKI
and LAURA A. ORLANSKI,

Debtors.

Adv. Pro. No. 10-4880

vs.

AMERICAN BANK,

ORDER DENYING MOTION TO REOPEN AND FOR RECONSIDERATION

This adversary proceeding is before the Court on Plaintiffs' "Ex Parte Motion to Reopen Adversary Complaint for Purposes of Filing an Amended Proof of Service," filed on April 20, 2010 (Docket # 6, the "Motion"), which this Court construes as a motion for reconsideration of, and for relief from, the April 12, 2010 Order dismissing this case (Docket # 5), and

The Court having reviewed and considered the Motion, and

The Court finds the Motion fails to demonstrate a palpable defect by which the Court and the parties have been misled, and that a different disposition of the case must result from a correction thereof. *See* Local Rule 9024-1(a)(3).

The Court also finds that the allegations in the Motion do not establish excusable neglect under Fed.R.Civ.P. 60(b)(1), FedR.Bankr.P. 9024, or any other valid ground for relief from the order dismissing this case.

In addition, the Court notes that the dismissal of this adversary proceeding was without prejudice, so Plaintiffs may file a new adversary proceeding, and without having to pay a filing fee (because of the nature of the adversary proceeding).

NOW, THEREFORE,

IT IS ORDERED that the Motion should be, and is, DENIED.

Signed on April 25, 2010

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge